

IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH

AT HYDERABAD

(SPECIAL ORIGINAL JURISDICTION)

MONDAY THE TWELFTH DAY OF APRIL

TWO THOUSAND AND FOUR

: PRESENT :

THE HON'BLE MR.JUSTICE **N.V.RAMANA**

W.P. No. 7054 of 2004

Between:

M/s. Prakash Arts, 3-6-473/1, Street No.5, Himayathnagar, Hyderabad rep. by its
Manager, MR.H.V. Surender Nath

Petitioner

AND

1. The Commissioner, Municipal Corporation of Hyderabad, MCH Buildings,
Hyderabad
2. The Additional Commissioner (ADVT) Advertisement Section MCH, Tank
Bund, Hyderabad

Respondents

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein, the High Court will be pleased to issue a writ, order or direction particularly one in the nature of a writ of mandamus, declaring the action of the respondents in issuing Notice Lr.No. 2368/AD3/Advt/MCH/2003/410 dated 6-12-2003 as illegal, arbitrary, and consequently direct the respondents not to remove the unipole of the petitioner at Blue Moon Hotel, H.No. 6-3-1186/A, Green Lands, Somaji Guda, Hyderabad .

The petition coming on for orders as to admission, upon perusing the petition and the affidavit filed therein and upon hearing the arguments of MR. V.V.Anil Kumar advocate for the petitioner and MRs. Jyothi Kiran SC for MCH on behalf of the respondents.

The Court made the following

ORDER:

“Assailing the action of the respondents in threatening to remove the unipole erected by the petitioner at Blue Moon Hotel, H.No. 6-3-1186/A. Green Lands, Somajiguda, Hyderabad the petitioner filed the present writ petition.

The learned Standing counsel appearing on behalf of the respondents- Corporation took notice and sought time to file counter. She vehemently contended that as the petitioner had erected the Unipole without obtaining permission from the respondents- corporation, action is being taken for its removal, and as such, no exception can be taken to such action of the respondents – Corporation.

The learned counsel for the petitioner submits that though there are several other Advertisers who have erected Unipoles in the twin cities of Hyderabad and Secunderabad, the Corporation is not taking any action against them or for removal of the Unipoles erected by them, and at the instance of the petitioner's business rivals, is threatening to remove the Unipoles erected by the petitioner, which is illegal and arbitrary and amounts to discriminating the petitioner.

Post on 20-4-2004.

In the meanwhile, the parties are directed to maintain status quo obtaining as on today. ”

ASSISTANT REGISTRAR

// TRUE COPY //

for ASSISTANT REGISTRAR

To

1. The Commissioner, Municipal Corporation of Hyderabad, MCH Buildings, Hyderabad
 2. The Additional Commissioner (ADVT) Advertisement Section MCH, Tank Bund, Hyderabad (R1 and R2 BY RPAD)
 3. One Spare Copy
- YVN

HIGH COURT

NVRJ

DATED: 12-4-2004

NOTE:POST ON 20-4-2004

ORDER
W.P.NO. 7054 OF 2004

STATUS QUO